

Existing law permits a sheriff to contract with the U.S. government, if the U.S. government owns land in the parish, to provide law enforcement services and to receive reimbursement for expenses incurred for furnishing such services, which monies are to be deposited in the sheriff's general fund.

New law retains existing law and additionally permits a sheriff to contract with the U.S. government or an agency thereof, if the U.S. government has any control over a waterway, flood gate, or lock, to provide inmate labor for maintaining, operating, opening, and closing flood gate or locks located within the parish and operated by or under the control or jurisdiction of the federal agency whenever a local governing authority is notified by the Corps of Engineers of the U.S. of a possible closure of such floodgate or lock.

New law permits a sheriff, who has contracted with the U.S. government or an agency thereto, to work a prisoner who is willing to perform manual labor and is housed in the parish prison, to work upon such a flood gate or lock operated or under the control or jurisdiction of the U.S. government, or any agency thereof, and is situated on a waterway within the parish.

New law prohibits the criminal sheriff of Orleans Parish from contracting for any inmate to perform manual labor upon any floodgate or lock situated on the Industrial Canal.

New law provides that such prisoner shall have no cause of action for damages against the sheriff for any injury or loss suffered by him arising out of his participation in the project for lack of supervision or act or omission unless the injury or loss was caused by the intentional or grossly negligent act or omission of the sheriff, employee, or agent.

New law provides that the sheriff shall not be liable for any injury caused by the prisoner unless the gross negligence or intentional act of the sheriff, employee, or agent was a substantial factor in causing the injury.

New law requires the prisoner to always remain under the custody and control of the sheriff and requires the sheriff to provide a prisoner with necessary medical treatment as statutorily required.

New law prohibits a prisoner sentenced to a parish prison or a prisoner in a parish prison awaiting transfer to a state correctional facility from performing any labor for a private contractor.

Effective August 15, 1999.

(Amends R.S. 33:1426; Adds R.S. 15:708(A)(5) and (F))